

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	William J. Anderl, et al.	:	Date: May 7, 2007
Group Art Unit:	2874	:	IBM Corporation
Examiner:	T. Wong	:	Intellectual Property Law
Serial No.:	09/809,699	:	Dept. 917, Bldg. 006-1
Filed:	March 15, 2001	:	3605 Highway 52 North
Title:	COMPACT OPTICAL TRANSCEIVERS INCLUDING THERMAL DISTRIBUTING AND ELECTROMAGNETIC SHIELDING SYSTEMS AND METHODS THEREOF	:	Rochester, MN 55901

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22331-1450

**PARTIAL AMENDED APPEAL BRIEF IN SUPPORT OF APPEAL  
FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Sir:

This is a partial Amended Appeal Brief, submitted in response to the office action dated April 16, 2007. The office action objected to the "Summary of Claimed Subject Matter" contained in the Brief. Appellants herewith submit a replacement : "Summary of Claimed Subject Matter", to replace the corresponding section of the previously filed Brief. Appellants note that there are no means-plus-function claims or step-plus-function claims herein. All other sections of the previously filed Brief remain unamended.

Docket No. ROC920010018US1  
Serial No. 09/809,699

### 5. Summary of Claimed Subject Matter

The invention herein relates to an optical transceiver assembly for use in digital communications. Independent claim 1 recites a method of cooling an optical transceiver that is mounted in a wall opening. Independent claim 5 recites a method of cooling a data transfer system in combination with an optical transceiver, wherein the system includes a wall having a wall opening; the steps of the method of claim 5 are analogous to those of claim 1, although claim 5 positively recites the “data transfer system” and claim 1 does not. Claims 2 and 6, dependent on claims 1 and 5, respectively, additionally recite a step of shielding components from electromagnetic interference.<sup>1</sup>

An optical transceiver [10] is a device which converts electrical logic signals to optically-transmitted (i.e.laser) signals for transmission through an optical medium to a remote device, and vice-versa [Spec p. 1, line 18 - p. 2, line 5]. One end [20] of an optical transceiver [10] is mounted in an opening [24] in a wall [22] [Spec. p. 10, lines 8 - 24; Fig. 1]. As claimed in claim 5, the wall [22] is part of a structure enclosing a host data transfer system [18] [Spec. p. 10, lines 8 - 24; Fig. 1]. The transceiver module end [20] mounted in the wall opening [24] forms at least one vent passage [104, 110] within the wall opening [24], allowing cooling air to pass through the vent and over certain internal components [Spec. p. 18, line 19 - p. 19, line 23; Figs. 1, 2, 4, 6 & 7]. As claimed in dependent claims 2 and 6, the vent, the opening and the optical transceiver are preferably electromagnetically shielded [Spec p. 20, lines 17- p. 21, line 23; Figs. 1, 2, 6 & 7, feature 122].

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<sup>1</sup> Claims 4, 7 and 8 have been allowed and are not involved in this appeal.

Date: May 7, 2007

Respectfully submitted,

WILLIAM J. ANDERL, et al.

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By \_\_\_\_\_

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